Case No.	ED CV17-01271 RGK (KKx)	Date	August 30, 2017

Title	Misael Romero v. Salvador Casillas, et al

Present: The Honorable   R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE

Anel Huerta	N/A
Deputy Clerk	Court Reporter

Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
None appearing	None appearing

Proceedings: **[In Chambers] Order to Show Cause re Dismissal for Lack of Prosecution**

Absent a showing of good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a defendant within 90 days after the complaint is filed. Fed.R.Civ.Proc. 4(m). Generally, defendants must answer the complaint within 21 days after service (60 days if the defendant is the United States). Fed.R.Civ.Proc. 12(a)(1).

In the present case, it appears that one or more of these time periods has not been met. Accordingly, the court, on its own motion, orders plaintiff(s) to show cause in writing on or before **September 7, 2017** why this action should not be dismissed for lack of prosecution. Pursuant to Rule 78 of the Federal Rules of Civil Procedure, the court finds that this matter is appropriate for submission without oral argument. The Order To Show Cause will stand submitted upon the filing of plaintiff's response.

If plaintiff/defendant files

☐   Proof of <u>timely</u> service of summons and complaint on the following defendant(s):

☒   A <u>timely</u> answer by the following defendant(s): **All defendants**

☐   Plaintiff's application for entry of default pursuant to Rule 55a of the Federal Rules of Civil Procedure as to defendant(s):

☐   Plaintiff's motion for default judgment pursuant to Rule 55b of the Federal Rules of Civil Procedure as to defendant(s):

on or before the date indicated above, the court will consider this a satisfactory response to the Order To Show Cause.